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Via ECF

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court
Mitchell H. Cohen U.S. Courthouse
400 Cooper Street, 4th Floor
Camden, New Jersey 08101

Re: Daryl Fred Heller
Ch. 11; Case No. 25-11354 (JNP)

Dear Judge Poslusny:

As Your Honor is aware, this firm represents Daryl Fred Heller, the Chapter 11 debtor and debtor-in-possession (the “Debtor”), in the above referenced matter. I file this letter in response to the letter filed by Marshall Kizner on behalf of Prestige Funds. ECF 322. It is inappropriate for Prestige Funds to request to the Court the sequence of matters to be heard on June 10, 2025. On behalf of the Debtor, I respectfully request the Court to hear the following matters in the following order:

1. Motion to Retain McCarter & English as Criminal Council for Debtor (ECF 139);
2. Motion to Approve Compromise or Settlement under Rule 9019 with Orrstown (ECF 213);
3. Motion to Quash 2004 Subpoena served by Prestige (ECF 193);
4. Motion to Expunge Claims of Prestige Fund; (ECF 288);
5. Motion to Appoint Chapter 11 Trustee filed by Prestige (ECF 265);
6. Motion for an Order Staying and or Suspending the Examiner filed by Deerfield Capital LLC (ECF 271); and
7. Motion to Approve Compromise or Settlement under Rule 9019 with Deerfield Capital LLC; (ECF 258).

This is a complex case with a lot of moving parts which impact the Debtor directly. Thus, we respectfully request for Your Honor to consider the Debtor’s position in terms of the hearings to be heard on June 10, 2025. As always, Your Honor’s courtesy is much appreciated.

Respectfully submitted,

/s/ Sari B. Placona

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